THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.12852 OF 2000

DATED:10.8.2005

Between:

R. Balaprasad, S/o.Late Chalapathi Rao

Superintendent, Government Observation Home for Boys

Guntakal, Ananthapur District.

…Petitioner

And

State of Andhra Pradesh, rep. by its Secretary,

Home Department, Secretariat, Hyderabad and another

…Respondents

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ORDER:

The petitioner at the relevant time was working as Superintendent of Government Observation Home for Boys, Guntakal. On a complaint given by learned Judicial Magistrate of First Class, Guntakal, Station House Officer, II-Town Police Station, Guntakal registered Crime No.62 of 1999 under Sections 344, 346, 363, 365, 367, 368, 370 and 374 of Indian Penal Code. Admittedly petitioner also filed Crl.P.No.6200 of 1999 under Section 482 of Code of Criminal Procedure for quashing the said crime. Again he filed present Writ Petition seeking a declaration that the action of respondent in filing complaint, and registering the crime is illegal

and arbitrary.

It is brought to the notice of this Court by the learned counsel for second respondent that connected Writ Petition, being W.P.No.13137 of 2000 was already dismissed by this Court on 19.7.2005. In that view of the matter, this Writ Petition is also dismissed. Further, if the Police registered crime at the instance of second respondent, who gave complaint, the action of the complainant as such cannot be treated as illegal. Under the provisions of law every citizen is bound to report to the police all cognizable offences.

The Writ Petition is devoid of merits and is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

10.8.2005

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